

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**JOHN MCDONALD,**

**Petitioner,**

**v.**

**RAYMOND BYRD, Warden, and  
JOE ALLBAUGH,**

**Respondents.**


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**Case No. CIV-19-209-SLP**

**ORDER**

Before the Court is the Report and Recommendation of United Magistrate Judge Suzanne Mitchell entered herein on March 15, 2019 [Doc. No. 7]. Judge Mitchell recommended that Petitioner's application for leave to proceed *in forma pauperis* be denied and that this matter be dismissed without prejudice unless Petitioner pays the \$5.00 filing fee within 21 days from March 15, 2019. On March 19, 2019, Petitioner paid the \$5.00 filing fee. Therefore, the Report and Recommendation is adopted in its entirety. The Application for Leave to Proceed *In Forma Pauperis* [Doc. No. 5] is denied and this matter is re-referred to United States Magistrate Judge Suzanne Mitchell in accordance with the previous Order of referral entered herein on March 5, 2019.

IT IS SO ORDERED this 20<sup>th</sup> day of March, 2019.

  
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**SCOTT L. PALK**  
**UNITED STATES DISTRICT JUDGE**